

REMARKS

Claims 1, 3-7, 14, 18-20, and 30 are pending in the present application, of which claims 1, 14, and 30 are independent. Claim 30 has been amended.

Applicants believe that the present application is in condition for allowance, which prompt and favorable action is respectfully requested.

I. REJECTION UNDER 35 U.S.C. §102

Claims 1, 3-6, 14, 18-19, 30 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,320,873 issued to Nevo (hereinafter "Nevo"). The rejection is respectfully traversed in its entirety.

Nevo does not disclose "a switch for supporting wireless communication, comprising a packet data serving node (PDSN) element communicating with a code division multiple access (CDMA) radio access network (RAN) using CDMA protocol; and a second element communicating with a GSM core infrastructure using GSM protocol, the first and second elements communicating with each other, whereby use of the CDMA RAN with the GSM core infrastructure is facilitated," as required by independent claim 1.

The first element of independent claim 1, which describes a switch, requires a PDSN. Applicant's (hereinafter Parekh) specification describes a switch 28 including "a packet data serving node (PDSN) element 30 that communicates using CDMA protocols with the CDMA RAN 12 in accordance with PDSN operation known in the CDMA art." Parekh, paragraph 25, second sentence. Figure 1.

Applicant's PDSN 30 comprises a switch user stack 68 that corresponds to a protocol stack 54 of a BSC 22, thereby enabling the PDSN 30 to communicate with the BSC 22 in accordance with CDMA principles. The physical layer 70 of the switch user stack 68 is connected to the physical layer 62 of the BSC protocol stack 54. The Aquator link layer 72 of the switch user stack 68 corresponds to the Aquator link layer 64 of the BSC protocol stack 54. The Aquator network layer 74 of the switch user stack 68 corresponds to the Aquator network layer 66 of the BSC protocol stack 54. Parekh, paragraphs 29-30. Figure 2.

Nevo's figure 1 contrasts with Parekh's figure 1 with respect to the configuration of their switches and their switches' interfaces. Nevo does not disclose a PDSN configured as a part of the switch 50. Rather, Nevo shows a PSTN/PDN 48 that is separate and apart from the switch 50. In addition, while Parekh's PDSN interfaces with a CDMA RAN structure 18, 22, Nevo's PSTN/PDN 48 interfaces with a GSM infrastructure 22. Parekh figure 1, Nevo figure 1.

Nevo not only teaches away from Parekh with respect to the PDSN 30, but also with respect to the protocol stacks other than the protocol stacks for the GGSN and SGSN. Contrast the Parekh protocol stack 70 of the PDSN 28 (Parekh figure 2) with the Nevo protocol stack of the SGSN 52 as shown in figure 2A. The Parekh protocol stack 70 differs from the Nevo protocol stack of the SGSN 52 as shown in figure 2A.

The PDN 48 of figure 1 is not a part of the switch 50, whereas claim 1 clearly requires a PDSN element. Thus, Nevo does not meet the language of claim 1 and claim 1 is patentable. Claims 3-6 depend on patentable claim 1; therefore, claims 3-6 are patentable.

Independent claim 14 requires "at least one switch interconnecting the CDMA RAN and GSM core infrastructure, the switch receiving and transmitting computer data using CDMA protocol to the CDMA RAN, the switch receiving and transmitting computer data using GSM protocol to the GSM core infrastructure, *wherein the switch includes a packet data serving node (PDSN) element communicating with the CDMA RAN and a serving GPRS service node (SGSN) element communicating with the GSM core infrastructure.*" Again, the PDN 48 of figure 1 is not a part of the switch 50, whereas claim 14 clearly requires a PDSN element. Thus, Nevo does not meet the language of claim 14 and claim 14 is patentable. Claims 18 and 19 are patentable since they depend on patentable independent claim 1.

Claim 30 requires "a serving GPRS service node (SGSN) element communicating *and interfacing* with a GSM core infrastructure using GSM protocol, the first and SGSN elements communicating *and interfacing* with each other, whereby use of the CDMA RAN with the GSM core infrastructure is facilitated." The SGSN 52 of Nevo does not meet the language of claim 30 since the Nevo SGSN does not communicate *and interface*

with the GSM core infrastructure. Rather, the Nevo SGSN communicates *and interfaces* with a CDMA RAN. Nevo's figure 1 shows a connection between the Nevo SGSN 52 and a CDMA BSC 34. Thus, claim 30 is patentable.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 7, 20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Nevo in view of Forslow US 6,608,832.

Claim 7 depends on patentable independent claim 1; therefore claim 7 is patentable.

Claim 20 depends on patentable claim 14; therefore claim 20 is patentable.

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CONCLUSION

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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